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*Of Attorney for Defendants*

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF OREGON  
PORTLAND DIVISION

**RADAGAST PET FOOD, INC.**, an  
Oregon corporation,

Plaintiff,

v.

**CENTINELA FEED, INC.**, a  
California corporation, and **THE**  
**LOTUS PET FOOD, INC.**, a  
California corporation,

Defendants.

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Case No. 3:19-cv-01467-JR

**DEFENDANTS' MOTION FOR AN  
AWARD OF ATTORNEY FEES**

Oral Argument Requested

**LR 7-1 CERTIFICATION**

The undersigned counsel for Defendants Centinela Feed, Inc. and The Lotus Pet Food, Inc. ("Defendants") certifies that counsel for the parties met and conferred by telephone and electronic mail in a good faith effort to resolve the issues presented in this motion, but were unable to do so. In those conversation, and in an e-mail to the court clerk, Plaintiff's counsel expressed an understanding that Defendants would move the court for an award of attorney fees and costs, while preserving Plaintiff's right to object to the same. See Declaration of Eric S. Postma in Support of Defendants' Motion for Attorney Fees, ¶ 11, Ex. A.

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**MOTION**

Pursuant to FRCP 54(d)(2) and LR 54.3, Defendants move the Court for an award of attorney fees in the amount of \$115,398.00. Defendants are entitled to an award of attorney fees as the prevailing party pursuant to FRCP 54, the agreement at issue in the proceedings and ORS 20.096.

This motion is supported by the Declaration of Eric S. Postma, together with the memorandum of law filed contemporaneously with this motion.

RESPECTFULLY SUBMITTED this 25<sup>th</sup> day of February , 2021.

BITTNER & HAHS, P.C.

By: s/Eric S. Postma  
Eric S. Postma, OSB #993478  
Nathan B. Pogue, OSB #164611  
*Of Attorneys for Defendants*

**CERTIFICATE OF SERVICE**

I hereby certify that on the 25th day of February, 2021, I served the foregoing  
**DEFENDANTS' MOTION FOR AN AWARD OF ATTORNEY FEES** on the following  
individual:

Nicholas J. Henderson, OSB #074027  
Motschenbacher & Blattner LLP  
117 SW Taylor Street, Suite 300  
Portland, OR 97204  
E: [nhenderson@portlaw.com](mailto:nhenderson@portlaw.com)  
*Of Attorneys for Plaintiff*

via CM/ECF Notice of Electronic Filing.

DATED this 25th day of February, 2021.

BITTNER & HAHS, P.C.

By: s/Eric S. Postma  
Eric S. Postma, OSB #993478  
*Of Attorneys for Defendants*